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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Luciano LENZINI et al.

Group Art Unit: 2661

Serial No.: 10/630,971

Examiner: Khai Minh Nguyen

Filed: July 31, 2003

Attorney Dkt. No.: 60091.00206

For: DATA TRANSMISSION METHOD, SYSTEM, BASE STATION, SUBSCRIBER STATION, DATA PROCESSING UNIT, COMPUTER PROGRAM PRODUCT, COMPUTER PROGRAM DISTRIBUTION MEDIUM AND BASEBAND MODULE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 2, 2007

Sir:

The Office Action dated January 17, 2007, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

The Office Action of January 17, 2007, presented a restriction requirement, requiring election between one of the following two inventions:

Invention I, recited in claims 1-25, drawn to an operation that enables a data transmission method in a communication system, the system comprising at least one base station and at least one subscriber station, wherein the at least one subscriber station allocates capacity for connections (455/450 (a mobile station is assigned a communication resource for communication)); and

Invention II, recited in claims 26-55, drawn to an operation that enables a data transmission (455/452.2, (dynamic channel allocation is dependent on a parameter related to desired quality of service)).

Applicants respectfully elect to prosecute the subject matter of Invention I, recited in claims 1-25, drawn to an operation that enables a data transmission method in a communication system, the system comprising at least one base station and at least one subscriber station, wherein the at least one subscriber station allocates capacity for connections (455/450 (a mobile station is assigned a communication resource for communication)). Applicant therefore respectfully requests timely consideration on the merits.

Applicants reserve the right to file a divisional application on the non-elected claims at any point prior to the termination of the proceedings in the subject application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in dark ink, reading "Peter C. Flanagan", written over a horizontal line.

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